



UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

DERRICK TYRONE MYERS,
Petitioner,
v.
KATHY MENDOZA-POWERS,
Respondent.

No. EDCV 06-1221-JSL AGR)

JUDGMENT

Pursuant to the order adopting the magistrate judge's report and recommendation,

IT IS ADJUDGED that (1) a conditional writ of habeas corpus is granted as to Ground One; (2) Respondent shall permit Petitioner to withdraw his plea in San Bernardino County Superior Court Case No. FSB041428, or shall release Petitioner from custody, within sixty (60) days of the date the Judgment herein becomes final, plus any additional delay authorized under state law; and (3) the Petition is otherwise denied.

DATED: Dec 15, 2008

A handwritten signature in black ink that reads "Spencer Letts".

J. SPENCER LETTS
UNITED STATES DISTRICT JUDGE